

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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AIYETORO AHEEN HOLMES,

Case No. 20-SC-1316 (NEB/BRT)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

TIMOTHY MULROONEY and PATRICK  
ROBBEN,

Defendants.

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The Court has received the December 4, 2020 Report and Recommendation of United States Magistrate Judge Becky R. Thorson. (ECF No. 4.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 4) is ACCEPTED;
2. This matter is DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B);
3. Plaintiff Aiyetoro Aheen Holmes's application to proceed *in forma pauperis* (ECF No. 2) is DENIED;
4. This matter is UNSEALED;

- a. Access to the Complaint (ECF No. 1), exhibit to the Complaint (ECF No. 1-1), application to proceed *in forma pauperis* (ECF No. 2), and statement of Holmes (ECF No. 3) is restricted to only the Court and the parties to this action.
  - b. The Report and Recommendation (ECF No. 4) should be unsealed.
5. The caption of this action is hereby amended to reflect the correct spelling of the name of Judge Patrick Robben.

Dated: January 8, 2021

BY THE COURT:

s/Nancy E. Brasel  
Nancy E. Brasel  
United States District Judge